

LATHAM & WATKINS
Anthony I. Fenwick (Bar No. 158667)
Allon Stabinsky (Bar No. 197642)
135 Commonwealth Drive
Menlo Park, California 94025
Telephone: (650) 328-4600
Facsimile: (650) 463-2600

BRINKS HOFER GILSON & LIONE
Jack C. Berenzweig (*Pro Hac*)
William H. Frankel (*Pro Hac*)
Jason C. White (*Pro Hac*)
Charles M. McMahon (*Pro Hac*)
NBC Tower - Suite 3600
455 North Cityfront Plaza Drive
Chicago, Illinois 60611
Telephone: (312) 321-4200
Facsimile: (312) 321-4299

Attorneys for Plaintiff
OVERTURE SERVICES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**OVERTURE SERVICES, INC., a Delaware
Corporation,**

CASE NO. C02-01991 JSW (EDL)

[PROPOSED] ORDER RE: PLAINTIFF'S REQUEST FOR GUIDANCE REGARDING EXISTENCE OF LIMITATIONS ON THE LENGTH OF PLAINTIFF'S REPLY BRIEF REGARDING CLAIM CONSTRUCTION

GOOGLE INC., a California Corporation,

Defendant.

v.
GOOGLE INC., a California
Defendant.

Pursuant to Local Rule 7-10(b), and in response to the unauthorized filing of a 46 page responsive claim construction brief by defendant Google Technologies Inc. (“Google”), Plaintiff Overture Services, Inc. (“Overture”) filed a miscellaneous administrative request seeking the Court’s guidance regarding the existence of any limitations on the length of Overture’s reply brief regarding claim construction.

Having fully considered that request and any response thereto filed by defendant,
IT IS HEREBY ORDERED as follows:

Plaintiff Overture may file a reply brief regarding claim construction that exceeds 15 pages in length.

or

Defendant Google's oversized Responsive Claim Construction Brief filed Friday August 22, 2003, is stricken. Defendant Google shall file a responsive claim construction brief of not more than 25 pages on or before _____, 2003. Plaintiff Overture's reply brief shall be due 7 court days after the filing of Google's brief and shall be not more than 15 pages in length.

IT IS SO ORDERED.

Dated:

The Honorable Jeffrey S. White
United States District Court Judge